

designated as a state sponsor of terrorism in the course of that person's paid employment doing journalistic, academic, or other research pertaining to terrorism or terrorist groups; or

(B) has engaged and intends to continue to engage in one or more commercial transactions with a bank or other financial institution in a country described in subparagraph (A).

(4) The procedures and standards of the Classified Information Procedures Act (18 U.S.C. App.) shall apply to the action.

(5) A final decision in the action shall be reviewable only by appeal directly to the Supreme Court of the United States. Such appeal shall be taken by the filing of a notice of appeal within 10 days, and the filing of a jurisdictional statement within 30 days, after the entry of the final decision.

(6) It shall be the duty of the United States District Court for the District of Columbia and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of the action and appeal.

(c) **MOOTNESS.**—In any civil action filed under subsection (a) for declaratory or injunctive relief, a defendant's claim that the surveillance activity has been terminated may not be grounds for dismissing the case, unless the Attorney General files a declaration under section 1746 of title 28, United States Code, affirming that—

(1) the surveillance described in subsection (a) has ceased; and

(2) the executive branch of the Federal Government does not have legal authority to renew the surveillance described in subsection (a).

(d) **LIMITATION OF DAMAGES.**—In any civil action filed under subsection (a), a prevailing plaintiff shall recover—

(1) damages for injuries arising from a reasonable fear caused by the electronic surveillance described in subsection (a) of not less than \$50 and not more than \$1000; and

(2) reasonable attorney's fees and other investigation and litigation costs reasonably incurred relating to that civil action.

(e) **SEVERABILITY.**—If any provision of this section, or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act, any such amendments, and of the application of such provisions to other persons and circumstances shall not be affected thereby.

(f) **RULES OF CONSTRUCTION.**—Nothing in this section may be construed to—

(1) affect a cause of action filed before the date of enactment of this Act;

(2) limit any cause of action available to a person under any other provision of law, including the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.); or

(3) limit the relief that may be awarded under any other provision of law, including the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

(g) **DEFINITION.**—In this section, the term "electronic surveillance" has the meaning given that term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

**SA 3918.** Mr. REID proposed an amendment to the bill S. 2248, to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes; as follows:

#### 1. EXTENSION OF THE PROTECT AMERICA ACT OF 2007.

Subsection (c) of section 6 of the Protect America Act of 2007 (Public Law 110-55; 121 Stat. 557; 50 U.S.C. 1803 note) is amended by striking "180" and inserting "210".

## NOTICES OF HEARINGS

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Wednesday, February 6, 2008, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the U.S. Department of Energy's budget for fiscal year 2009.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to Rosemarie\_Calabro@energy.senate.gov.

For further information, please contact Jonathan Epstein or Rosemarie Calabro.

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, February 14, 2008, at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to consider the President's fiscal year 2009 budget request for the USDA Forest Service.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to rachel\_pasternack@energy.senate.gov.

For further information, please contact Scott Miller or Rachel Pasternack.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Thursday, January 24, 2008, at 3:30 p.m. in room 328A of the Russell Senate Office Building in order to consider the nomination of Ed Schafer, of North Dakota, to be Secretary of Agriculture.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, January 24, 2008, at 9:30 a.m., in room SD366 of the Dirksen Senate Office Building in order to conduct a hearing. At this hearing, the Committee will hear testimony regarding Reform of the Mining Law of 1872.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Thursday, January 24, 2008, at 10 a.m. in room 406 of the Dirksen Senate Office Building in order to hold a hearing entitled, "Oversight of EPA's Decision to Deny the California Waiver."

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FINANCE

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, January 24, 2008, at 10 a.m., in room 215 of the Dirksen Senate Office Building, in order to conduct a hearing entitled "Strengthening America's Economy: Stimulus That Makes Sense."

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FOREIGN RELATIONS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, January 24, 2008, at 2:30 p.m. in order to conduct a hearing on climate change negotiations.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, in order to conduct a hearing entitled "The Fair Pay Restoration Act: Ensuring Reasonable Rules in Pay Discrimination" on Thursday, January 24, 2008. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON VETERANS' AFFAIRS

Mr. LEAHY. Mr. President, I ask unanimous consent for the Committee on Veterans' Affairs to be authorized to meet during the session of the Senate on Thursday, January 24, in order to conduct an oversight hearing on the Report of the Veterans' Disability Benefits Commission. The Committee will